

REMARKS

Claims 1-30 are pending in this application, with claims 1, 12, 21 and 29 being independent. Claims 1, 12, 21 and 29 have been amended. No new matter has been added. Reconsideration and allowance of the above-referenced application are respectfully requested.

Claims 21-22 and 24-28 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Trostle (U.S. 5,919,257). Claims 1-20, 23 and 29-30 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Trostle and in further view of Gluck (U.S. 5,948,104). These contentions are respectfully traversed.

Examiner Ha is thanked for the telephone interviews, which were conducted with Mr. Hunter on May 3, 2007, May 7, 2007, and May 16, 2007. During the first interview, Examiner Ha acknowledged that the Detailed Action (pages 2-18) of the 02/06/2007 Final Office Action is identical to that of the 07/17/2006 Office Action, and that the wrong document had been attached to the 02/06/2007 Final Office Action. Thus, the arguments presented in the Response filed November 17, 2006, had not been addressed by the Office. Therefore, with respect to the Office Action mailed February 6, 2007, the 11/17/2006 Response is hereby incorporated by reference.

During the second interview, on May 7th, Examiner Ha explained that the correct Detailed Action would be sent out in the near future, and an additional month for response would be provided. During the third interview, on May 16th, claims 1, 12, 21 and 29, and the Trostle reference were discussed in light of the Office Action mailed May 15, 2007. Agreement was reached that a clarifying amendment to the independent claims, to explicitly state that the monitoring occurs after the examining and the obtaining operations, would overcome the current rejections. Thus, in view of this agreement and the present amendment, the current rejections are overcome and should be withdrawn.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific issue or comment does not signify agreement with or concession of that issue or comment. Because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

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It is respectfully suggested for all of these reasons, that the current rejections are overcome, that none of the cited art teaches or suggests the features which are claimed, and therefore that all of these claims should be in condition for allowance. A formal notice of allowance is thus respectfully requested.

Please apply any necessary charges or credits, to Deposit Account No. 06-1050.

Respectfully submitted,

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for 

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